|    | Case 1:23-cv-01416-BAM Document                                                                    | 3 Filed 09/29/23 Page 1 of 2                              |  |
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| 7  |                                                                                                    |                                                           |  |
| 8  | UNITED STATES DISTRICT COURT                                                                       |                                                           |  |
| 9  | EASTERN DISTRICT OF CALIFORNIA                                                                     |                                                           |  |
| 10 |                                                                                                    |                                                           |  |
| 11 | DERRICK JEROME LEWIS,                                                                              | Case No. 1:23-cv-01416-BAM (PC)                           |  |
| 12 | Plaintiff,                                                                                         | ORDER TRANSFERRING CASE TO THE SACRAMENTO DIVISION OF THE |  |
| 13 | v.                                                                                                 | EASTERN DISTRICT OF CALIFORNIA                            |  |
| 14 | BAKER, et al.,                                                                                     |                                                           |  |
| 15 | Defendants.                                                                                        |                                                           |  |
| 16 |                                                                                                    | 1                                                         |  |
| 17 | Plaintiff Derrick Jerome Lewis ("Plaintiff"), a state prisoner proceeding pro se, has filed        |                                                           |  |
| 18 | this civil rights action pursuant to 42 U.S.C. § 1983, together with a motion to proceed in forma  |                                                           |  |
| 19 | pauperis pursuant to 28 U.S.C. § 1915. (ECF Nos. 1, 2.)                                            |                                                           |  |
| 20 | In his complaint, Plaintiff alleges violations of his civil rights that took place in              |                                                           |  |
| 21 | Sacramento County, which is part of the Sacramento Division of the United States District Court    |                                                           |  |
| 22 | for the Eastern District of California. Therefore, the complaint should have been filed in the     |                                                           |  |
| 23 | Sacramento Division.                                                                               |                                                           |  |
| 24 | Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper           |                                                           |  |
| 25 | court may, on the court's own motion, be transferred to the proper court. Therefore, this action   |                                                           |  |
| 26 | will be transferred to the Sacramento Division. This Court will not rule on Plaintiff's request to |                                                           |  |
| 27 | proceed in forma pauperis.                                                                         |                                                           |  |
| 28 | ///                                                                                                |                                                           |  |

|          | Case 1:23-cv-01416-BAM Document 3 Filed 09/29/23 Page 2 of 2                                  |  |
|----------|-----------------------------------------------------------------------------------------------|--|
| 1        | Good cause appearing, IT IS HEREBY ORDERED that:                                              |  |
| 2        | 1. This action is transferred to the United States District Court for the Eastern District or |  |
| 3        | California sitting in Sacramento; and                                                         |  |
| 4        | 2. All future filings shall refer to the new Sacramento case number assigned and shall be     |  |
| 5        | filed at:                                                                                     |  |
| 6        | United States District Court                                                                  |  |
| 7<br>8   | Eastern District of California 501 "I" Street, Suite 4-200 Sacramento, CA 95814               |  |
|          | 3. This Court has not ruled on Plaintiff's request to proceed <i>in forma pauperis</i> .      |  |
| 9        | 3. This court has not futed on Flament's request to proceed in Jorna purperts.                |  |
| 10<br>11 | IT IS SO ORDERED.                                                                             |  |
| 12       | Dated: September 28, 2023 /s/ Barbara A. McAuliffe                                            |  |
| 13       | UNITED STATES MAGISTRATE JUDGE                                                                |  |
| 14       |                                                                                               |  |
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